

take dramatic strides to move our country toward energy independence. With David Hayes' help, he will ensure that our country is harnessing the wind, the Sun, and the geothermal potential that will set us free from our dangerous dependence on foreign oil. Secretary Salazar deserves the opportunity to have the best and most knowledgeable people around him to make this energy revolution happen.

On Secretary Salazar's list, the first is David Hayes. He is a graduate of Notre Dame University, Stanford Law School. He is experienced, pragmatic, and creative. For 30 years, he has worked in natural resources and environmental law. He has written dozens of articles and book chapters about water supply issues, clean energy, and land conservation, among other important topics. He has a long and impressive track record of negotiating the kinds of difficult issues the Department of Interior deals with every day. But he can't get this work done until this body confirms him.

In a repeat of a scene we have unfortunately become far too familiar with lately, Republicans are standing in the way. I know those holding up Mr. Hayes' nomination feel passionately about their priorities, but I also know that Secretary Salazar and Mr. Hayes believe just as strongly about finding common ground that serves all of our interests.

The real issue is the fact that in the last minutes of the Bush administration, the waning minutes, Secretary Kempthorne issued 77 oil and gas leases. These leases are next door to national parks. It was a concern of the National Park Service when it was done. The environmental community is up in arms. The people of Utah don't like it. No one else would. We have one national park in Nevada, Great Basin National Park. I know how the people of Nevada would feel if they had started bringing in oil rigs next to Great Basin National Park. They wouldn't like it. Ken Salazar, when he became Secretary of the Interior, withdrew those regulations. He didn't terminate them, he withdrew them for further study, further review. We have here an issue of the people of the State of Utah versus oil companies. For far too long, the oil companies have always won. Let's make it so that the people win for a change.

Every State has unique challenges. Mr. Hayes is prepared to travel across the West to confront them head-on, not so he can tell States what to do but, rather, so he can work with them to address each issue thoughtfully and respectfully. Working together toward such solutions is the answer. Robbing a Cabinet Secretary of his right-hand man is not.

Secretary Salazar knows the Senate, and his door is open to every Member of this body. Could you find a nicer person in the world than Ken Salazar? I don't think so. Mr. Hayes has his backing and his background. Mr. Hayes will

continue doing what Secretary Salazar directs him to do. Now is the time to move forward, not to drag our feet or posture or to try to score political points. Ask anyone who knows him. They will tell you that among the many skills he has is the ability to work cooperatively and in a bipartisan fashion on the most complex issues. I wish our Republican colleagues would show the same spirit on at least confirming such a clearly qualified candidate for such a political job. No one questions his qualifications. He is a man of high moral standards. He has an excellent academic background. No one questions his capabilities. The real issue is these oil and gas leases. He is a good and honest man. He is bright, successful, and a proven leader. Our country is fortunate that he has one again answered the call to serve.

I understand at their meeting yesterday there was a plea: We have to stop Democrats from confirming this man. I say to my friends: David Hayes will be confirmed. If I have to wait until Al Franken comes, he is going to be confirmed. We are going to confirm David Hayes. Everyone should understand that. If we happen to lose this today, I will just move to reconsider until we have the votes. Ken Salazar is going to have David Hayes working with him. Everyone should understand that. Secretary Salazar has bent over backward to answer the questions of Senators who are questioning these oil and gas leases and a few other things. Salazar is a man who is known for his ability to compromise. He is a consensus builder. I hope people will allow this nomination to go forward. If there were some question about Mr. Hayes having written a law review article where he is calling for something that is outlandish or if he had done something in the past that was out of line—I have never heard a single word about his qualifications. He is a man who is qualified for this job. The President has nominated him.

In fairness, I ask unanimous consent that my time be charged against the majority time, whatever time I used.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### TRUSTEES REPORT

Mr. McCONNELL. Mr. President, yesterday afternoon, the trustees of the Social Security and Medicare trust funds released their annual report. After reviewing its findings, it is clear that the future of Social Security and Medicare can be summed up in one word: unsustainable.

Even before the report was issued, we knew these programs could not remain

solvent for long under current conditions. Last year's report predicted that Social Security would start paying out more than it takes in by 2017, and that it would be bankrupt about two decades after that. Last year's report also predicted that Medicare would start paying out more than it takes in within a year and that the trust fund for this vital program would go bankrupt about a decade after that.

The report that was released yesterday presents a far graver scenario.

As a result of the current recession, Social Security will start paying out more than it takes in by 2016, and it will go bankrupt 4 years earlier than previously expected. The situation for Medicare is even more serious. Medicare is already paying out more than it takes in, and it will be bankrupt in just 8 years, 2 years earlier than expected, according to yesterday's report.

It would be irresponsible for Congress to wait any longer before addressing this problem. Some say we haven't reached a point of crisis yet, so we can continue to kick the problem down the road until these programs actually go bankrupt. They seem to think that if the house is on fire, it is OK to wait until the whole place burns down before you call the fire department.

Most Americans disagree. Most people think that if a program they depend on is falling apart, or is about to fall apart, then their elected representatives in Washington have an obligation to tell them about it, and to do something. The time to act is now, before these programs go bankrupt—not after.

The warning signs about Social Security and Medicare have been around us for years, and the problems with these programs are also at the core of the current record levels of government spending and debt. At the moment, programs like Social Security, Medicare, and Medicaid, as well as the interest we pay on the national debt, consume nearly seven out of every 10 dollars the Federal Government spends—Medicare, Social Security, Medicaid, and the national debt. Soon we will have little money left for anything else, including vital priorities such as defense, health care, transportation, and programs that fuel job creation.

Reform has been put off for too long. Take Medicare reforms, for example. By law, the President is required to submit legislation to lower Medicare spending levels if the cashflow of this program falls below a certain level. So last year, when Medicare cashflow fell below that level, the President submitted legislation to lower spending. Unfortunately, this legislation did not move forward in Congress.

Real leadership on entitlement reform will require action from both parties. And yesterday's report is the wake-up call. Reform is no longer just a good idea—it is absolutely necessary. It is the only way to restore these programs to fiscal health, and to get at